DECISION DELEGATED TO DEVELOPMENT MANAGER

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| **Application No:** | **H17-0101-20** | **Applicant:** | **Mr & Mrs Harman** |
| **Proposal:** | Proposed extension and alterations, including garage and games room - approved under H17-0560-19. Amendment to increase size of living room | | |
| **Location:** | Vernatts Bungalow The Reservoir Surfleet | | |
| **Terminal Date:** | 5th March 2020 | | |

**Planning Policies**

**South East Lincolnshire Local Plan - Adopted: March 2019**

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| 01 | Spatial Strategy |
| 02 | Development Management |
| 03 | Design of New Development |

**National Guidance**

**National Planning Policy Framework 2019**

Section 12 of the National Planning Policy Framework (2019)

**Representations:**

| | Object | Support | No Obj. | Comments |
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CASE OFFICER ASSESSMENT

**Proposal**

This is an non-material amendment application for a proposed extension and alterations, including a garage and games room at Vernatt's Bungalow, The Reservoir, Surfleet Seas End. The approved application sought to provide a rear ground floor extension to house a living area, with a two storey extension to the western elevation, access via a glazed corridor that will house a dressing room and en-suite at ground floor level with a bedroom above and a rear facing balcony overlooking a rear garden, Vernatt's Drain and arable land. The existing balcony serving bedroom 4 is to be modified to suit the proposed design style. A detached two storey garage building with a workshop to the rear and games room above will be sited to the east of the dwelling. a balcony will be sited to the rear elevation of the games room overlooking a rear garden, Vernatt's Drain and arable land.

The front of the proposed western elevation extension is to be vertically timber clad with blue engineering brickwork at the base of the extension. The remainder of the dwelling and garage is to be metal clad with colour render detailing on all entrance points. Finer details of materials would be addressed by condition.

The purpose of this application sekeks to slightly extend the rear extension to the living room by 2 metres. The existing original living room projects 2.5 metres from the rear elevation wall. The approved lving room extension projects 3.2 metres and this non-material amendment seeks to extend the extension by a further 2 metres.

## Site Description

The proposal is outside defined settlement limits and the surrounding area is sparsely populated, semi-rural in character and contains dwellings of varying ages and design.

## History

H17-0720-87

Residential development (1 plot) - Approved - 25 September 1987.

H17-0121-90

Residential development (one plot) renewal of H17/0720/87 - Approved 02 March 1990.

H17-0309-98

Erect residential dwelling, together with demolition of existing garage and former dwelling - Refused - 02 November - Appeal dismissed - 06 July 1999.

H17-0817-99

Demolition of existing buildings and erection of new bungalow and garage - Declined to Determine - 13 August 1999.

H17-1391-03

Erection of replacement dwelling - Refused - 24 February 2004 - Appeal dismissed - 20 December 2004.

H17-1231-06

Erection of replacement dwelling - Approved - 06 December 2006

H17-0345-07

Erection of replacement dwelling (amendments to approval H17/1231/06) - Approved - 10 May 2007

H17-0560-19

Proposed extension and alterations, including garage and games room - Approved - 11 July 2019

## Consultation Responses

None

## Planning Considerations

- Principle of development

Principle of development

The proposed 2 metre addition to the rear elevation living room is considered to the constitute a non-material amendment by virtue of it's siting and the dwelling not having any immediate neighbours. The additional 2 metres do not affect the setting the of the dwelling, the character of the surrounding area or the amenity of neighbours.

## Conclusion

The proposed amendment does not affect the setting the of the dwelling, the character of the surrounding area nor the amenity of neighbours as the sited is large and does not have immediate neighbours.

## Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.